

**REMARKS/ARGUMENTS**

Claims 1-5 and 7-9 are now pending in the application -- claim 6 having been canceled and claims 10-31 having been withdrawn.

Applicants and undersigned counsel appreciate the courtesy extended by the Examiner in considering applicants' proposed amendment to claim 1, previously filed in conjunction with the response to the restriction requirement.

Claims 1, 2, 4-7 and 9 are rejected under 35 U.S.C. 103(a) as unpatentable over Wilcox '057 in view of Plastidip. At the outset, it is noted that applicants' claim 1, the only independent claim now pending in the application, is directed, in part, to a cover surrounding an elongated shaft, wherein the cover includes at least one portion of increased thickness inwardly protruding so as to extend into a depressed groove of the elongate shaft. Wilcox discloses a tube with several longitudinally extending folds but which nonetheless comprises a tube with a smooth circular contour (see column 2, lines 40-64). Plastidip discloses a liquid dip coating that inherently and uniformly forms to the outer shape (herein, smooth circular outer shape) of an object dipped into it.

Even if Wilcox and Plastidip are combined in the manner suggested by the Examiner, such combination still would not result in applicants' claimed invention as recited in claim 1 wherein a cover includes at least one portion of increased thickness inwardly protruding so as to extend into a depressed groove of an elongate shaft. The Plastidip coating has a uniform thickness throughout conforming to the outer shape of the Wilcox tube. Further, the combination of Wilcox and Plastidip fails to show applicants' claimed cover as discussed above, wherein the outer surface of the handle including the cover is substantially continuous (i.e., free of grooves and the like).

Accordingly, in light of the above amendment and remarks, the rejection of claim 1 is believed to have been fully overcome. Only applicants' claimed invention provides a cover (formable by coextrusion or the like economical method) that is geometrically predetermined and independent of the inner supporting tube geometry. Only applicants' outer covering with

independent geometry has a predetermined and controlled variable thickness in specified regions in order to minimize impact damage to the inner supportive tube, while improving the ergonomic properties of the resulting product (for example, increased tack and grip friction). These features are not shown in either Wilcox or Plastidip, taken either alone or in combination.

Claim 6 has been canceled. Claims 2, 4-5, 7 and 9 which depend from claim 1 and incorporate the limitations thereof are believed to be patentable for the reasons set forth above with respect to claim 1. Accordingly, in light of the above amendment and remarks, the rejection of claims 2, 4-5, 7 and 9 is also believed to have been fully overcome.

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as unpatentable over Wilcox '057 in view of Plastidip as applied to claim 1 above and further in view of Brine '578 which discloses a lacrosse head. Brine does nothing to overcome the deficiencies of Wilcox and Plastidip as discussed above with respect to claim 1. Accordingly, the rejection of claims 3 and 8 under 35 U.S.C. 103(a) is believed to have been fully overcome.

Claims 1, 4, 6 and 9 are rejected under 35 U.S.C. 103(a) as unpatentable over McNeil '529 in view of Plastidip. McNeil discloses a shaft with a smooth outer surface. Plastidip receives an object to be coated, without regard to the object's outer surface. Nothing in McNeil or Plastidip, taken either alone or in combination, requires the outer surface of McNeil to be altered, and accordingly, the combination of McNeil and Plastidip results in a dip coating lacking the portion of increased thickness and inward protrusion of applicants' claimed invention. The only suggestion for an inward protrusion and an outer cover with a continuous surface comes solely from applicants' claimed invention. Only applicants' claimed invention provides a cover that is geometrically predetermined and independent of the inner supporting tube geometry. Only applicants' outer covering with independent geometry has a predetermined and controlled variable thickness in specified regions in order to minimize impact damage to the inner supportive tube, with improved ergonomic properties. These features are not shown in either McNeil or Plastidip, taken either alone or in combination. Accordingly, the rejection of independent claim 1 is believed to have been fully overcome.

Claim 6 has been canceled. Claims 4 and 9 depend from independent claim 1 and incorporate the limitations thereof, and accordingly are believed to be patentable for the reasons

set forth above with respect to claim 1. Accordingly, in light of the above amendment and remarks, the rejection of claims 4 and 9 under 35 U.S.C. 103(a) is also believed to have been fully overcome.

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as unpatentable over McNeil '529 in view of Plastidip further in view of Brine '578. For the above reasons, Brine does nothing to overcome the deficiencies of McNeil or Plastidip. Accordingly, the rejection of Claims 3 and 8 under 35 U.S.C. 103(a) is believed to have been fully overcome.

Claims 2, 5 and 7 are rejected under 35 U.S.C. 103(a) as unpatentable over McNeil '529 in view of Plastidip and further in view of the Examiner's Official Notice that use of tapered ends for shafts is well-known in the art. Such Official Notice, even if combined with McNeil '529 and Plastidip still would not overcome the deficiencies of McNeil or Plastidip set forth above with respect to claim 1, from which the rejected claims depend. Accordingly, the rejection of claims 2, 5 and 7 under 35 U.S.C. 103(a) is believed to have been fully overcome.

In light of the above amendment and remarks, the rejections of claims 1-5 and 7-9 are believed to have been fully overcome and reconsideration is requested. Early and favorable consideration would be appreciated.

Respectfully submitted,

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11

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I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 13, 2006.

A handwritten signature in dark ink, appearing to read 'Michael A. Hierl', is written above a horizontal line.

Michael A. Hierl